



STATE BOARD OF
EQUALIZATION

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SPECIAL TAXES
DEPARTMENT

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FUEL TAXES
DIVISION
916-322-9669

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INFORMATION
CENTER
1-800-400-7115

From telephone
devices for the deaf

TDD phone:
1-800-735-2929

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1-800-735-2922

www.boe.ca.gov

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UNDERGROUND STORAGE TANK FEE

If you own an underground storage tank in California, you may be required to pay a fee for petroleum products placed into your tank. This publication provides general information about the fee. If you have questions that are not answered in this publication, please call the State Board of Equalization Fuel Taxes Division at 916-322-9669.

What is the underground storage tank maintenance fee?

The underground storage tank maintenance fee provides revenues for programs designed to expedite the cleanup of leaking underground petroleum storage tanks in California. It was established in 1991.

The fee applies to certain petroleum products placed into underground storage tanks (see next section). The fee rate per gallon is:

- \$ 0.006 effective January 1, 1991
- \$ 0.007 effective January 1, 1995
- \$ 0.009 effective January 1, 1996
- \$ 0.012 effective January 1, 1997

Which petroleum products are subject to the fee?

Petroleum products that are subject to the fee include, but are not limited to:

- Gasoline and additives
- Aviation gasoline and additives
- Jet fuel and additives
- Diesel fuel and additives
- Lubrication oils
- Heating and lighting oils
- Solvents

The fee does not apply to:

- Heating oil placed in an underground storage tank and used on the premises where it is stored
- Motor fuel used for noncommercial purposes and placed in tanks that have a capacity of 1,100 gallons or less, located on a farm or residence

Please note: Petroleum is defined as crude oil, or any fraction of crude oil, that is

liquid at standard conditions of temperature and pressure.

What is an underground storage tank?

For purposes of this fee, an underground storage tank is defined as any tank, or a combination of tanks, used to store petroleum products and located substantially or totally beneath the surface of the ground. The definition also applies to pipes that are connected to such tanks.

Who is liable for the fee?

The owner of the tank is required to pay the underground storage tank fee.

If you operate a storage tank but do not own it, you are not liable for the fee. An operator is defined as the person who controls, or is responsible for, the daily operation of the tank. Generally, if you lease an underground storage tank, you are considered an operator, not an owner.

An owner or an operator can be an individual, a company, or a city, county, or district or any of their agencies or departments. The state and federal governments are not defined as owners or operators under the Underground Storage Tank Maintenance Fee Law.

Note: If you are not the owner of a tank you operate, please give a copy of this publication to the owner.

What are the registration and filing requirements?

If you own an underground storage tank, you must register with our agency, the State Board of Equalization (Board). You

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will be required to file underground storage tank fee returns and pay any fee amounts due for the reporting period. When you register, we will let you know how often you will be required to file returns.

The return and fee are due on the 25th of the month following the end of each reporting period. If you own more than one qualified storage tank, you will be able to file one return each period for all of your tanks.

If you prefer, you may ask us to mail returns to the tank operator, who will file them for you. However, the mailed documents will bear your name, since the account will be registered to you. If we do not receive a payment or return from the operator, you will be responsible for the tank fees that are due and any interest or penalty charges.

Please note: Be sure to notify us if you sell or close any underground storage tanks you own.

What if I am the tank operator but the Board's records incorrectly show me as the owner?

Please contact us immediately and provide the name, mailing address, and telephone number of the tank's owner so that we can correct our registration file. Forward a copy of this publication to the owner. You may also wish to contact your local permitting agency to find out how the tanks are registered with them.

What is an upgrade compliance certificate and why do I need one?

Under state law, underground petroleum storage tanks and tank systems must meet certain construction and monitoring requirements. All tank owners were required to bring their tanks into compliance with those requirements by December 22, 1998. Beginning January 1, 1999, fuel distributors were prohibited from delivering fuel to tanks or tank systems that did not meet the state requirements.

To show that your tank complies with state requirements, you need an *upgrade compliance certificate*. You can obtain a certificate from your local underground storage tank permitting agency by demonstrating that your tank or tank system complies with the law. If you need more information, please contact the local agency that regulates underground storage tanks in your area.

We will request your upgrade compliance certificate number when you register for the underground storage tank maintenance fee.



To register or obtain more information

If you have questions regarding this program or need to register with us as the owner of an underground storage tank, please call 916-322-9669 or write:

Fuel Taxes Section, MIC:30
State Board of Equalization
P.O. Box 942879
Sacramento, CA 94279-0030



Taxpayers' Rights Advocate

If you are unable to resolve a disagreement with the Board, or if you would like to know more about your rights under the Underground Storage Tank Maintenance Fee Law, please contact the Taxpayers' Rights Advocate office for help.

Phone: 916-324-2798 or
1-888-324-2798 (toll-free)
Fax: 916-323-3319

Taxpayers' Rights Advocate, MIC:70
State Board of Equalization
P.O. Box 942879
Sacramento, CA 94279-0070



Note: The statements in this publication are general and are current as of October 1999. The law is complex and subject to change. If there is a conflict between the law and this publication, decisions will be based on the law and not the publication.